IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE
Civil Application No.1979 of 2006
In
Writ Petition No.2950 of 2002

Smt.Shankri B. Ajimal & anr. Applicants
Vs.
Jiledar Singh Parasnath Singh Respondent

Applicant no.2 in person.

Mr.Ditendra Mishra for respondent.

CORAM: B.H.MARLAPALLE,J.

August 09, 2006.

P.C.

. By a common order dated 17/1/2003, Writ Petition No.2950 of 2002 was covered and it was a conditional order passed. The petitioner had appeared as party in person and no Advocate has been engaged. Therefore, obviously the party in person was not aware of this Court's order and failure to comply with the same has resulted in dismissal of the said petition in default.

. This application has been filed beyond time by three years and 130 days. The learned counsel for the respondent has filed reply and opposed the application including the prayer for condonation of delay.

. It is noted that the petitioners are the landlords and their suit for eviction was allowed by the trial Court. However Appeal No.102 of 1997 came to be allowed by the lower Appellate Court and the suit was dismissed. The said order of the lower appellate Court was under challenge in Writ Petition No.2950 of 2002.

. This is a fit case to condone the delay but by levying costs. Hence delay is condoned on payment of costs quantified at Rs.1000/- and to be remitted to the Maharashtra State Legal Services Authority within a period of four weeks from today. The application is allowed in terms of prayer clause (a).

(B.H.MARLAPALLE,J.)